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Lynne Finley
District Clerk
Collin County, Texas
By Tatiana Ortega Deputy

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Envelope ID: 45509709

NO. 417-53803-2020

IN THE INTEREST OF	§	**IN THE DISTRICT COURT**
	§	
S.L, J.L. AND L.L.	§	**417TH JUDICIAL DISTRICT**
	§	
CHILDREN	§	**COLLIN COUNTY, TEXAS**

AGREED ORDER APPOINTING AMICUS ATTORNEY

The Court finds that under section 107.021 of the Texas Family Code, the best interest of the children is in dispute, and after giving due consideration to the ability of the parties to pay reasonable fees to the appointee, finds that an amicus attorney should be appointed in this case. The Court hereby appoints Rachel Li, 5601 Democracy Drive, Suite 109, Plano, Texas (214) 616-3684 as Amicus Attorney to provide legal services necessary to assist the Court in protecting the best interests of S.L, J.L. and L.L., the children the subject of this suit.

The Court hereby ORDERS that any custodian of the children shall grant Amicus Attorney immediate access to the children and to any information relating to the children and shall fully cooperate with Amicus Attorney.

The Court further ORDERS that the custodian of any relevant records relating to the children, including records regarding social services, law enforcement records, school records, records of a probate or court proceeding, and records of a trust or account for which the children are beneficiaries, shall provide immediate access to the records to Amicus Attorney without requiring a further order or release.

The Court further ORDERS that the custodian of a medical, mental health, or drug- or alcohol-treatment record of a child that is privileged or confidential under other law shall release the record to Amicus Attorney without requiring further order or release, except that a child's

drug- or alcohol-treatment record that is confidential under 42 U.S.C. section 290dd-2 shall be released only as provided under applicable federal regulations.

Petitioner and Respondent are ORDERED to sign any and all releases of information relative to the children or the parties in this case, as requested by Amicus Attorney, within seven days of the request.

Pursuant to sections 107.003 and 107.005 of the Texas Family Code, Amicus Attorney is ORDERED to perform the following duties in this case with regard to each child the subject of this suit:

1. subject to rules 4.02, 4.03 and 4.04 of the Texas Disciplinary Rules of Professional Conduct, and within a reasonable time after the appointment, interview--

    a. the child in a developmentally appropriate manner, if the child is four years of age or older;

    b. each person who has significant knowledge of the child's history and condition, including any foster parent of the child; and

    c. the parties to the suit;

2. seek to elicit in a developmentally appropriate manner the child's expressed objectives of representation;

3. consider the impact on the child in formulating Amicus Attorney's presentation of the child's expressed objectives to the court;

4. investigate the facts of the case to the extent Amicus Attorney considers appropriate, including conducting discovery;

5. obtain and review copies of relevant records relating to the child as provided by section 107.006 of the Texas Family Code;

6. participate in the conduct of the litigation to the same extent as an attorney for a

party;

7. take any action consistent with the child's interests that Amicus Attorney considers necessary to expedite the proceedings;

8. encourage settlement and the use of alternative forms of dispute resolution;

9. advocate the best interests of the child after reviewing the facts and circumstances of the case;

10. review and sign, or decline to sign, a proposed or agreed order affecting the child;

11. become familiar with the American Bar Association's standards of practice for attorney's who represent children in custody cases;

12. in a developmentally appropriate manner-

a. with the consent of the child, ensure that the child's expressed objectives of representation are made known to the Court;

b. explain the role of the Amicus Attorney to the child; and

c. inform the child that Amicus Attorney may use information that the child provides in providing assistance to the Court; and

13. protect the confidentiality of all records provided to Amicus Attorney under this order and not disclose any such records except as provided by further order of the Court or other law.

Amicus Attorney has all the rights and privileges as contained in chapter 107 of the Texas Family Code, including the rights to-

1. request clarification from the court if the role of Amicus Attorney is ambiguous;

2. request a hearing or trial on the merits;

3. conduct discovery;

4. consent or refuse to consent to an interview of the child by another attorney;

5. receive a copy of each pleading or other paper filed with the Court in the case in which Amicus Attorney is appointed;

6. receive notice of each hearing in the case;

7. participate in case staffings by the Department of Family and Protective Services concerning the child; and

8. attend all legal proceedings in the case.

Amicus Attorney is prohibited from disclosing confidential communications between Amicus Attorney and the child unless Amicus Attorney determines that disclosure is necessary to assist the Court regarding the best interests of the child.

The Court hereby finds that Amicus Attorney is entitled to reasonable fees and expenses to be paid by the parties as follows: Petitioner is ORDERED to pay 50 percent and Respondent is ORDERED to pay 50 percent. The Court hereby ORDERS Michael Long, Petitioner to contact Amicus Attorney and deposit half of the requested retainer with Amicus Attorney no later than 5:00 P.M. 7 days following the signing of this order. The Court hereby ORDERS Kelly Long, Respondent to contact Amicus Attorney and deposit half of the requested retainer with Amicus Attorney no later than 5:00 P.M. 7 days following the signing of this order. The Court reserves the right to order additional cost deposits before trial as necessary.

SIGNED on 8/19/2020.

JUDGE PRESIDING

AGREED AS TO FORM ONLY:

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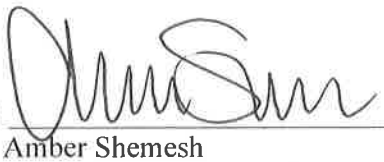
By: 

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Attorneys for Respondent, Kelly Long

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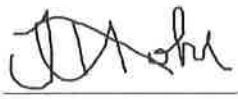
By: 

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Attorney for Petitioner, Michael Long

Automated Certificate of eService

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Adriana Cancino on behalf of Amber Shemesh
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Envelope ID: 45509709
Status as of 8/20/2020 10:15 AM CST

Associated Case Party: Kelly Long

Name	BarNumber	Email	TimestampSubmitted	Status
Amber Shemesh		amber@shemeshfamilylaw.com	8/19/2020 11:29:46 AM	SENT
Adriana Cancino		acancino@shemeshfamilylaw.com	8/19/2020 11:29:46 AM	SENT
Alexandra Willen		awillen@shemeshfamilylaw.com	8/19/2020 11:29:46 AM	SENT

Case Contacts

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